

**REMARKS/ARGUMENTS**

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3, 6-8, 11, 13, 15-18, 20-23, 25, 27 and 29 are pending in this application. Claims 1, 6, 11, 13, 15, 20, 25, 27 and 29 are amended; and Claims 5, 10, 12, 19, 24 and 26 are canceled by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.<sup>1</sup> No new matter is presented.

In the outstanding Office Action, Claims 1-3, 5-8, 10-13 and 15-29 were rejected under 35 U.S.C. § 102(b) as anticipated by Wang et al. (“Policy-Enabled Handoffs Across Heterogeneous Wireless Networks”, published at WMCSA 1999, hereinafter “Wang”).

The undersigned appreciatively acknowledges the courtesy extended by Examiner Choudhury in holding a personal interview with the undersigned on October 23, 2007. During the interview, an overview of the invention was presented, and claim amendments were proposed. No agreement was reached during the interview pending the formal submission of a response to the outstanding Office Action.

Claims 1-3, 5-8, 10-13 and 15-29 were rejected under 35 U.S.C. § 102(b) as anticipated by Wang. In response to this rejection, applicants submit that amended independent Claims 1, 6, 11, 15, 20, 25 and 29 recite novel features clearly not taught or rendered obvious by the applied reference.

Independent Claim 1 is directed to a link manager for selecting an available link for communications. The link manager defines a plurality of link metrics indicating characteristics of each link detected and manages data corresponding to the respective link metrics on a table. A rank is then assigned to each link metric, and to the data corresponding

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<sup>1</sup> e.g., at least at previously presented Claims 5, 10, 12, 19, 24 and 26, which are respectively incorporated into the independent claims from which they depend.

to each link metric. The link manager then selects a link having link metrics complying with a given condition by analyzing each link based on each individual stored metric *in order of rank*, and selects a link corresponding to a record having data with a highest rank thus assigned, at a link metric with a highest rank. Claim 1 is further amended to clarify that link manager selects a link corresponding to a record having data with a highest rank thus assigned, at a link metric with a next highest rank, when there exists a plurality of records having data with the highest rank thus assigned.

Specifically, independent Claim 1 recites, *inter alia*, a link manager, comprising:

...selecting means for selecting a link by analyzing each link based on each individual stored metric *in order of rank*, and selecting a link corresponding to a record having data with a highest rank thus assigned, at a link metric with a highest rank,  
wherein the selecting means selects a link corresponding to a record having data with a highest rank thus assigned, *at a link metric with a next highest rank, when there exists a plurality of records having data with the highest rank thus assigned.*

Independent Claims 6, 11, 15, 20, 25 and 29, while directed to alternative embodiments, recite substantially similar features. Accordingly, the arguments presented below are applicable to each of independent Claims 1, 6, 11, 15, 20, 25 and 29.

As described during the interview, and in an exemplary embodiment at p. 16, l. 19-p. 18, l. 10 and Fig. 7 of the specification, the link manager 1 sorts all the records in the link management table shown in Fig. 6, using the link metric with the highest priority in Fig. 4 as a key. Specifically, noting the link metric with the highest priority, it is set as n=1 (step ST1) and all the records are selected (step ST2). Here ranks indicating preference levels are assigned to the data corresponding to the respective link metrics. Fig. 8 is a diagram showing the priority ranks of the data corresponding to the respective link metrics. For example, as to the data corresponding to the link metric "cost," "free" is provided with the highest priority

and "time-based" with the lowest priority. The records selected at step ST2 are sorted based on these priorities assigned to the data (step ST3). Then it is determined whether the number of records having the data with the highest priority is equal to one (step ST4). If the number is one, the link identified by the top record is selected (step ST5).

On the other hand, if the number of records having the data with the highest priority is not equal to one, attention is then focused on the link metric with the second highest priority (step ST6), it is set as  $n=n+1$  (step ST7), and it is then determined whether the value of  $n+1$  is equal to an ordinal rank of the link metric with the lowest priority (step ST8). Since the ordinal rank at this stage is still the second, the link manager proceeds to step ST3 to sort the records according to the ranks assigned to the data corresponding to the link metric with the second priority (step ST4).

Thus, as characterized in the Interview Summary, Claim 1 "features a system wherein only one link metric (link characteristic) per each of the plurality of links is taken into consideration [at a time] when choosing a link." The incorporation of Claim 5 into Claim 1 further limits Claim 1 to an embodiment "wherein the system would take a second link metric into consideration when the first link metric is a tie between multiple links."

Turning to the applied reference, Wang describes a system to enable handoffs between a plurality of links provided to a mobile station. Wang describes at p. 55, col. 2, ll. 29-35 that users may specify the importance or weights of each normalized parameter corresponding to characteristics of a specific link. These weights are then combined in a simultaneous calculation to determine a "cost function" or similar cumulative parameter corresponding to a specified network in order to determine the best available link.

Wang, however, fails to teach or suggest selecting a link by analyzing each link based on *each individual stored metric in order of rank...*, and selecting "a link corresponding to a

record having data with a highest rank thus assigned, *at a link metric with a next highest rank, when there exists a plurality of records having data with the highest rank thus assigned,*” as recited in independent Claim 1.

In addressing the claimed feature directed to analyzing each individual link based on each individual stored metric in order of rank, the Office Action, in the “Response to Remarks” section cites p. 55, sec. 5.3 of Wang and again asserts

By evaluating the cost of the links, the weights of the individual parameters of the links are being evaluated. If they were not, the individual weights assigned would have no true meaning. This is further supported by the fact that Wang teaches how parameter can be weighted to zero if they are not to be evaluated. If all but one parameter is to be evaluated and ranked, the other parameters can be weighted, as being zero and then only that parameter will be evaluated

However, this characterization of Wang fails to address the above noted feature required by independent Claim 1. As noted above Claim 1 recites selecting a link by analyzing each link based on each *individual* stored metric *in order of rank*. Thus, each parameter is considered individually, and in order according to rank.

In Wang, a “cost value” is determined for each link, which is a cumulative parameter calculated based on taking into account all of the user’s assigned preferences simultaneously. The cost value for each link is then analyzed and the link with the lowest cost value wins, and is selected as the active link. Thus, Wang describes that each link is analyzed based on a cumulative parameter (cost value) which is calculated by simultaneously taking into account a variety of weighted (one, zero, or otherwise) parameters corresponding to each link.

Further, independent Claim 1 is amended to address the scenario proposed in the outstanding Office Action when one of the parameters in Wang’s system is weighted as one, with the rest being weighted as zero.

More particularly, amended independent Claim 1 recites selecting “a link corresponding to a record having data with a highest rank thus assigned, *at a link metric with a next highest rank, when there exists a plurality of records having data with the highest rank thus assigned.*” Thus, when the link metrics having the highest rank each include data having the same rank, the next highly ranked link metric is then evaluated.

As noted above, Wang describes a process by which all of the link parameters are examined simultaneously. Thus, when one of the link metrics is assigned a weight of 1, with the rest being zero, there is no “next highly ranked link metric” to be evaluated.

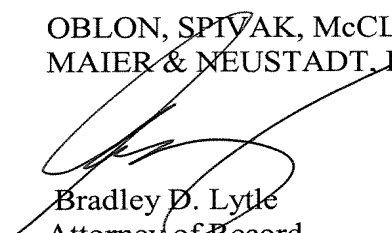
Therefore, Wang fails to teach or suggest selecting a link by analyzing each link based on *each individual stored metric in order of rank...*, and selecting “a link corresponding to a record having data with a highest rank thus assigned, *at a link metric with a next highest rank, when there exists a plurality of records having data with the highest rank thus assigned,*” as recited in independent Claim 1.

Accordingly, Applicants respectfully request the rejection of Claim 1 under 35 U.S.C. § 102(b) be withdrawn. For substantially the same reasons given with respect to Claim 1, Applicants respectfully submit that Claims 6, 11, 15, 20, 25 and 29 also patentably define over Wang.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-3, 6-8, 11, 13, 15-18, 20-23, 25, 27 and 29, is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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